

ARTICLE I. IN GENERAL**Sec. 14-1. Regulations saved from repeal.**

Nothing contained in this Code or in the ordinance adopting this Code shall be construed to repeal or otherwise affect the traffic regulations of the city, and said regulations, as amended from time to time, are hereby continued in full force and effect except to the extent that they may be in conflict with the provisions of this Code.

Editor's note—The traffic regulations saved from repeal by the above section are on file in the office of the city clerk.

Sec. 14-2. Race tracks or racing prohibited.

(a) It shall be unlawful for any person to operate or to sponsor a race track for vehicles propelled by internal combustion engines or to participate in or take any part in the operation of such a race track or in any race involving any such vehicles, within the city.

(b) Any violation of this section is hereby declared to be a public nuisance, and upon order of the city council, the city attorney shall immediately initiate proceedings necessary for the abatement or enjoyment of such violation in the manner provided by law.

(Code 1961, §§ 17.12, 17.13)

Sec. 14-3. Operation on hillsides.

It shall be unlawful for any person to drive or operate any vehicle propelled by an internal combustion engine up or down a hillside with a grade of twenty-five (25) percent or more at the place where such person drives or operates such vehicle except upon an established road, street or highway sufficient in width and design to accommodate a four-wheeled vehicle. It shall further be unlawful to operate a vehicle as defined on public or private undeveloped property unless said operation is in conjunction with the construction of improvements pursuant to the validly issued excavation or building permit. The intent of this section is to protect the natural vegetation, prevent soil erosion and preserve the landscape qualities of the community. This section shall not apply to emergency police or fire equipment, other city equipment or the equipment of utility companies.

(Code 1961, § 17.14; Ord. No. 706, § 1, 4-26-83)

Sec. 14-3.1. Parking on hills.

No person driving, or in control of, or in charge of a motor vehicle shall permit it to stand on any

highway, road or street unattended when upon any grade exceeding three (3) percent within any business or residence district without blocking the wheels of the vehicle by turning them against the curb or by turning the front wheels to the fullest away from the road or by other means.

(Ord. No. 377, § 1, 10-23-67)

Editor's note—Ord. No. 377, § 1, adopted Oct. 23, 1967, inadvertently omitted from inclusion at the time of codification, has been included as § 14-3.1.

State law reference—Authority, Vehicle Code, § 22509.

Sec. 14-4. Soliciting tow or other service, parking tow truck at accident scene.

(a) No person shall, at the location of any vehicular accident, collision or other catastro-

phe or calamity, solicit or offer the sale of any tow service, or the sale of any other services.

(b) No vehicles equipped for use as tow trucks shall be parked within five hundred (500) feet from the location of any vehicular accident, collision or other catastrophe.

(c) The prohibitions contained in this section shall apply from the time of the happening of any of the aforesaid occurrences until a reasonable time thereafter, and at all times while law enforcement officers, public health personnel, emergency personnel, and other persons discharging duties imposed by law, are actively engaged in the performance of duty at the location of any such occurrence. (Code 1961, §§ 18.19–18.21)

Sec. 14-5. Operation of vehicular tow.

(a) No more than one vehicular tow truck shall be parked on the public right-of-way in front of any dwelling unit in a single-family residential district or each building in a multiple-family residential district.

(b) No maintenance of any vehicles shall be permitted on streets in residentially zoned districts.

(c) Tow trucks shall not tow wrecked or disabled vehicles to any streets within a residentially zoned district unless said vehicle is being towed to the registered owner's residence. (Ord. No. 628, § 1, 6-12-78)

Sec. 14-6. Performing work on vehicles or equipment.

(a) No person or business shall perform or permit the performance of work on vehicles or equipment on the city right-of-way or street on Old County Road in the City of Belmont.

(b) The performance of work on vehicles or equipment shall be defined as washing, polishing, sanding, cleaning, repairing or any maintenance of parts or equipment. (Ord. No. 727, 1-8-85)

Note—See the editor's note to § 14-9.

Sec. 14-7. Off-street parking on the city right-of-way on Old County Road.

(a) No vehicles may be parked on the city right-of-way on Old County Road between the hours of 8:00 p.m. and 6:00 a.m.

(b) Limited parking is permitted on the right-of-way between the hours of 6:00 a.m. and 8:00

p.m. providing such vehicles must be parked in such a manner to provide a minimum of a three-foot clearance between the curb and the parked vehicle. (Ord. No. 727, 1-8-85)

Sec. 14-8. Penalty for violation of sections 14-6, 14-7.

Violation of sections 14-6 and 14-7 shall be an infraction punishable as follows:

- (a) A fine not exceeding one hundred dollars (\$100.00) for a first violation.
- (b) A fine not exceeding two hundred dollars (\$200.00) for a second violation of the same ordinance within one (1) year.
- (c) A fine not exceeding five hundred dollars (\$500.00) for each additional violation of the same ordinance within one (1) year. (Ord. No. 727, 1-8-85)

Sec. 14-9. Excessive acceleration of motor vehicles.

It is unlawful for any person operating a motor vehicle within the city to so accelerate the same as to cause audible noise by tire friction on pavement or to cause the tires of said vehicle to leave skid marks upon the pavement, except when such acceleration is reasonably necessary to avoid a collision. Any person violating this section shall be guilty of an infraction which shall be punishable to the extent of the laws of this state for infractions. (Ord. No. 720, § 1, 5-22-84; Ord. No. 731, § 1, 4-9-85)

Editor's note—The provisions of this section were originally promulgated by Ord. No. 720 as § 14-6. Section 1 of Ord. No. 731 renumbered the section as § 14-9, and § 2 of the ordinance repealed Ord. No. 720.

Sec. 14-10. Use of streets for storage of vehicles.

(a) No vehicle shall be parked or left standing upon any street, alley or public way for more than seventy-two (72) consecutive hours. For purposes of this section, a vehicle shall be considered to have been parked for seventy-two (72) or more consecutive hours if it has not been moved one-tenth of a mile, by odometer reading, or more during the seventy-two-hour period.

(b) Violation of this section is an infraction. (Ord. No. 751, § 2, 10-28-86)

Sec. 14-11. Removal of vehicles in violation of this Code.

Any vehicle found in violation of this Code or any ordinance regulating parking on city streets, alley or other public property for seventy-two (72) or more consecutive hours may be removed to a storage garage designated by the city pursuant to Vehicle Code section 22651.

(Ord. No. 751, § 2, 10-28-86)

Sec. 14-12. Stopping, standing, or parking of vehicles on city-owned real property or garages.

(a) When an authorized sign or signs are erected and in place giving notice that parking as indicated by such a sign is prohibited or restricted, no person shall stop, stand or park a vehicle upon any such city-owned real property or parking garage or portion thereof in such city in disregard of such sign or signs.

(b) The city council may, by resolution from time to time, designate that city-owned real property or garages or portions thereof upon which parking is prohibited or restricted in accordance with this section and in any such resolution shall require the erection and maintenance upon every such city-owned parking lot or garage or portion thereof designated for prohibition or regulation of parking or limitation a sign or signs appropriate to inform the public of the applicability of this section.

(c) Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one thousand dollars (\$1,000.00) or by an imprisonment in the county jail not exceeding sixty (60) days or by both such fine and imprisonment, and each day upon which a violation of this section is continued or maintained shall constitute a separate offense hereunder and be punishable as such. In addition, any vehicle found in violation of this section or any resolution of the city may be removed to a storage garage designated by the city pursuant to California Vehicle Code section 22651.

(Ord. No. 886, §§ 1—3, 9-13-94)

Editor's note—Ordinance No. 886, adopted Sep. 13, 1994, did not specifically amend this Code; hence, codification of §§ 1—3 of said ordinance as § 14-12 herein was at the editor's discretion.

Sec. 14-13. Emergency parking.

(a) The council finds that during the Art and Wine Festival and during other public gatherings and celebrations that traffic congestion resulting therefrom can and does impede the flow of traffic and interfere with the delivery of city services including police and fire services. This congestion also creates safety hazards for pedestrians and sight distance impairment for other vehicles. To address these important health and safety concerns the council finds it necessary to allow for the alteration of parking restrictions during these events so as to improve the flow of traffic, reduce congestion and insure the efficient delivery of police and fire protection.

(b) Whenever the police chief determines that an emergency exists or is imminent due to traffic congestion which is likely to result from public or private assemblages, gatherings or functions, the police chief shall have power and authority to order temporary signs to be erected or posted indicating that the operation, parking or standing of vehicles is time restricted or prohibited on such streets and alleys as he or she shall direct during the time such temporary signs are in place. Such signs shall remain in place only during the existence of such emergency and the police chief shall cause such signs to be removed promptly thereafter.

(c) When signs authorized by the provisions of this section are in place giving notice thereof, no person shall operate, park or stand any vehicle contrary to the directions and provisions of such signs.

(Ord. No. 916, § A, 5-13-97)

Secs. 14-14, 14-15. Reserved.

ARTICLE II. NOTICE AND PROMISE TO APPEAR

Sec. 14-16. Required.

If any person is arrested for a violation of this chapter or any regulation saved from